

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

DERRICK CROWDER,

Plaintiff,

v.

Case No. 8:21-cv-1950-TPB-TGW

WORLD PRODUCT SOLUTIONS, *et al.*,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the Court on consideration of the report and recommendation of Thomas G. Wilson, United States Magistrate Judge, entered on September 14, 2021. (Doc. 4). Judge Wilson recommends Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. 2) be deferred, and that his complaint (Doc. 1) be dismissed without prejudice with leave to file an amended complaint due to several deficiencies. Neither Plaintiff nor Defendants filed an objection to the report and recommendation, and the time to object has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); 718 F.2d 198, 199 (4th Cir. 1983); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district court must "make a de novo determination of those portions of the [report and recommendation] to which an objection is made." 28 U.S.C. § 636(b)(1)(C). When

no objection is filed, a court reviews the report and recommendation for clear error. *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006); *Nettles v. Wainwright*, 677 F.2d 404, 409 (5th Cir. 1982).

Upon due consideration of the record, including Judge Wilson's report and recommendation, the Court adopts the report and recommendation. Consequently, Plaintiff's *in forma pauperis* motion is deferred. The complaint (Doc. 1) is dismissed without prejudice with leave to amend to cure the deficiencies identified by Judge Wilson in his report and recommendation. Plaintiff is directed to file his amended complaint on or before November 1, 2021. Failure to file an amended complaint as directed will result in this Order becoming a final judgment. *See Auto. Alignment & Body Serv., Inc. v. State Farm Mut. Auto. Ins. Co.*, 953 F.3d 707, 719-20 (11th Cir. 2020).

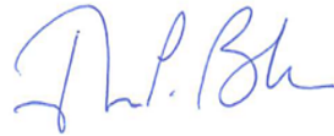
Accordingly, it is

**ORDERED, ADJUDGED, and DECREED:**

- (1) Judge Wilson's report and recommendation (Doc. 4) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
- (2) Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. 2) is hereby **DEFERRED**.
- (3) The complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**, with leave to amend. Plaintiff is directed to file his amended complaint on or before

November 1, 2021. Failure to file an amended complaint as directed will result in this Order becoming a final judgment.

**DONE** and **ORDERED** in Chambers, in Tampa, Florida, this 1st day of October, 2021.



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**TOM BARBER**  
**UNITED STATES DISTRICT JUDGE**